

Message Text

LIMITED OFFICIAL USE

PAGE 01 VIENNA 01990 150946Z
ACTION IO-13

INFO OCT-01 EUR-12 ISO-00 EB-08 AID-05 SS-15 L-03 COME-00
CIAE-00 DODE-00 PM-04 H-01 INR-07 NSAE-00 NSC-05
PA-01 PRS-01 SP-02 FRB-03 TRSE-00 XMB-02 OPIC-03
LAB-04 SIL-01 OMB-01 NSCE-00 SSO-00 USIE-00 INRE-00
/092 W

-----150948Z 036943 /20

O R 150818Z MAR 77
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 1050
INFO USMISSION USUN

LIMITED OFFICIAL USE VIENNA 1990

FOR NORRIS, SCHWEBEL, AND POOLE

E.O. 11652: N/A
TAGS: UNIDO, EIND, OCON, PORG
SUBJECT: IGC-V, REPORT NO. 2 ON PREAMBLE AND ARTICLES 1
AND 2, AREAS OF AGREEMENT OR NEAR COMPROMISE

REF: (A) STATE 49072; (B) VIENNA 1989

1. SUMMARY: FIFTH SESSION OF INTER-GOVERNMENTAL COMMITTEE
OF WHOLE TO DRAW UP A CONSTITUTION FOR UNIDO AS A SPECIALIZED
AGENCY (IGC-V) IS USING A/AC.180/9/ADD. 1 AS BASIC NEGOTIA-
TING DOCUMENT. SUBJECT TO FINAL AGREEMENT ON OTHER PORTIONS
OF PREAMBLE (REFTEL (B), PARA 7), AGREEMENT WAS REACHED BY
ALL EXCEPT CHINA TO GIVE USSR ITS DESIRED REFERENCE TO "PEACE
AND SECURITY" IN PREAMBULAR PARAGRAPH (9) AND TO DROP PEACE
AND SECURITY REFERENCES IN PREAMBULAR PARAGRAPHS (1) AND (5).
G-77 HAS ABANDONED GROUP D POSITION ON PREAMBULAR PARA (9)
REFERENCE TO "SOVEREIGNTY OVER NATURAL RESOURCES", BUT CON-
TINUES TO NEGOTIATE HARD FOR PREAMBULAR PARA (7) REFERENCE TO
"SOVEREIGN RIGHT". G-77 VACILLATES BETWEEN HARD AND SOFT
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 VIENNA 01990 150946Z

POSITIONS ON ARTICLE 1 OBJECTIVES, AND ON ARTICLE 2,
SUB-PARA (N) ON TRANSNATIONAL CORPORATIONS. THEIR CAUTION
IS APPARENTLY BASED ON FEAR OF ACCUSATION BY G-77 REPS NOT
PRESENT THAT THEY HAVE CONCEDED TOO MUCH (REFTEL B, PARA 8).
U.S. DEL WISHES CONFIRMATION FROM DEPT. THAT ITS INTENDED EX-
PLORATIONS OF FURTHER COMPROMISE LANGUAGE FALL WITHIN IN-
STRUCTIONS OF STRATEGY PAPER AND REFTEL A. NEGOTIATIONS

ON THESE ISSUES DURING WEEK MARCH 14-18 ARE EXPECTED TO BE ENTIRELY INFORMAL BUT CONFIRMATION WILL NEVERTHELESS BE WELCOME AS SOON AS POSSIBLE. END SUMMARY.

2. PREAMBULAR PARA 7. U.S. DEL CONTEMPLATES NO SERIOUS PROPOSALS BEYOND CONTINGENCIES INCLUDED IN INSTRUCTIONS REFTEL A, PARA 4. U.S. DEL, NEVERTHELESS, REQUESTS CONFIRMATION THIS INSTRUCTION BY LEGAL ADVISER'S OFFICE, SINCE REFTEL A CLEARANCE WAS BY U.S. DEL KERLEY.

3. ARTICLE 1. VARIOUS COMPROMISES TRIED BY BOTH SIDES BUT ACCEPTED BY NEITHER ARE CONTAINED IN THE REPORT OF AD HOC DRAFTING GROUP AIRMAILED TO DEPT. (REFTEL B). DELEGATION ASKS CONFIRMATION THAT OBJECTIONABLE REFERENCE TO SIXTH SPECIAL SESSION NEW INTERNATIONAL ECONOMIC ORDER (NIEO) WOULD BE AVOIDED AND U.S. COULD ACCEPT EITHER OF FOLLOWING VERSIONS OF ARTICLE 1 IF INITIAL CAPS WERE ELIMINATED: (A) "A NEW INTERNATIONAL ECONOMIC AND SOCIAL ORDER" VICE "A NIEO"; (B) "WITH A VIEW TO ASSISTING IN THE ESTABLISHMENT OF AN EQUITABLE AND NEW INTERNATIONAL ECONOMIC ORDER". LEGAL ADVISER ON U.S. DELEGATION HAS DOUBTS CONCERNING SECOND FORMULATION. IT MIGHT, NEVERTHELESS, FALL WITHIN U.S. BREAKING POINT. WHILE THE FOUR WORDS "NEW INTERNATIONAL ECONOMIC ORDER" DO APPEAR UNINTERRUPTED, THE WORD "ORDER" IS CLEARLY MODIFIED BY AN ADDITIONAL ADJECTIVE WHICH DOES NOT APPEAR IN THE TITLE OF THE SIXTH SPECIAL SESSION RESOLUTIONS. G-77 HAS REJECTED "NEW AND EQUITABLE INTERNATIONAL ECONOMIC ORDER".

4. ARTICLE 2(N). TWO TEXTS ON TRANSNATIONAL CORPORATIONS ARE LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 VIENNA 01990 150946Z

IN THE REPORT OF THE AD HOC DRAFTING GROUP. THE ONE PROPOSED BY G-77 SUPPORTED BY CHINA READS "COOPERATE WITH THE GOVERNMENTS OF THE DEVELOPING COUNTRIES AS APPROPRIATE IN ORDER THAT THE ACTIVITIES OF THE TRANSNATIONAL CORPORATIONS ARE IN CONFORMITY WITH THE ECONOMIC AND SOCIAL AIMS OF THE DEVELOPING COUNTRIES." THE ONE PROPOSED BY GROUP B READS "COOPERATE WITH GOVERNMENTS OF ALL MEMBER STATES OF THE ORGANIZATION AND THE APPROPRIATE BODIES OF THE UNITED NATIONS DEALING WITH TRANSNATIONAL CORPORATIONS IN ORDER TO FACILITATE A MAXIMUM CONTRIBUTION BY THE TRANSNATIONAL CORPORATIONS TO THE INDUSTRIAL DEVELOPMENT OF ALL COUNTRIES." DEPT. WILL NOTE THAT THIS GROUP B TEXT ENDS WITH "ALL COUNTRIES" VICE "THE DEVELOPING COUNTRIES" FOUND IN EARLIER GROUP B PROPOSAL (REFTEL B, PARA 5.) AT REQUEST OF FRENCH DEL WHO INTERPRETED CHANGE AS POSSIBLY GIVING GOVT. OF FRANCE A ROLL IN UNIDO FOR CONTROLLING FRENCH INDUSTRY.

5. A THIRD PROPOSAL COMBINING THE IDEAS OF SEVERAL GROUPS BUT WITHOUT FORMAL STATUS AT PRESENT READS, "COOPERATE

WITH GOVERNMENTS OF ALL MEMBER STATES OF THE ORGANIZATION
AND THE APPROPRIATE BODIES OF THE UNITED NATIONS DEALING
WITH TRANSNATIONAL CORPORATIONS IN ORDER TO ENSURE THAT
ANY CONTRIBUTION BY THE TRANSNATIONAL CORPORATIONS TO THE
INDUSTRIAL DEVELOPMENT OF THE DEVELOPING COUNTRIES IS IN
CONFORMITY WITH THEIR ECONOMIC AND SOCIAL AIMS."

6. U.S. DEL REQUESTS CONFIRMATION THAT GROUP B TEXT IS
ACCEPTABLE AND THAT THIRD PROPOSAL IS ACCEPTABLE IF "ENSURE
THAT" IS REPLACED BY "FACILITATE THE MAXIMUM" AND THE WORD
"IS" LATER IN THE SENTENCE IS DELETED.STIBRAVY

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, INTERNATIONAL ORGANIZATIONS, CONSTITUTIONAL AMENDMENTS, COMMITTEE MEETINGS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Sent Date: 15-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977VIENNA01990
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770088-0432
Format: TEL
From: VIENNA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770356/aaaabxtq.tel
Line Count: 127
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 6bfc80b7-c288-dd11-92da-001cc4696bcc
Office: ACTION IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 49072, 77 VIENNA 1989
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 22-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3098789
Secure: OPEN
Status: NATIVE
Subject: IGC-V, REPORT NO. 2 ON PREAMBLE AND ARTICLES 1 AND 2, AREAS OF AGREEMENT OR NEAR COMPROMISE
TAGS: EIND, OCON, PORO, UNIDO
To: STATE
Type: TE
vdkgvwkey: odbcc://SAS/SAS.dbo.SAS_Docs/6bfc80b7-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009